

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicants: Donald E. Burg

Filing Date: September 29, 2003

Attorney Docket No: 104-147

Title: RETRACTABLE CAB HEIGHT COVER FOR VEHICLE CARGO BEDS

DECLARATION AND POWER OF ATTORNEY

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

As the below-named inventor, I declare that the information given herein is true; that I believe that I am the original first and sole inventor of the invention entitled RETRACTABLE CAB HEIGHT COVER FOR VEHICLE CARGO BEDS described and claimed in the specification of the above-captioned application; that as to the subject matter of this application, I do not know and do not believe that the same was ever known or used before our invention thereof or patented or described in any printed publication in any country before our invention thereof, or more than one (1) year prior to the date of this application, and that said subject matter has not been patented in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve (12) months prior to this application; and that no application for patent on said invention has been filed by me or my representatives or any assigns in any country foreign to the United States of America; I acknowledge that I have a duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 C.F.R. 1.56 (a); and that I have never abandoned the invention.

Send correspondence to myr attorney appointed to prosecute this application, Robert J. Van Der Wall, Registration No. 28,125, Suite 1620, Colonial Bank Building, 1200 Brickell Avenue, Miami, FL 33131. Telephone: 305/358-6000, Telefax: 305/530-8880.

As the below named inventor, my full name and address is: Donald E. Burg, 15840 S.W. 84 Avenue, Miami, FL 33157, Telephone: 305/233-0289, Telefax: 305/233-1339. My post office addresses is the same as my residence address. I am a citizen of the United States of America.

I hereby declare that I have reviewed and understand the contents of this application, including the claims. I further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements

were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Respectfully submitted,


Dated: Sept. 29, 2003


DONALD E. BURG, Applicant Inventor

CERTIFICATION OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as express mail number: EU705061076US in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 29 th day of September, 2003 which is neither a Saturday, Sunday, or Federal holiday within the District of Columbia and I accordingly claim the filing date of September 29, 2003 of this paper as provided for in 37 C.F.R. 1.10.

Respectfully submitted,


Donald E. Burg, Applicant
September 29, 2003

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DECLARATION CLAIMING SMALL ENTITY STATUS
PURSUANT TO 37 C.F.R. 1.9 (f)

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

As the undersigned inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States code, to the Patent and Trademark Office with regard to the above-identified invention.

I have not assigned, granted, conveyed or licensed and I am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37C.F.R.1.9 (d) or a non-profit organization under 37C.F.R.1.9 (e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. 1.28 (b)).

I further declare that all statements made herein of my own knowledge and belief are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title Eighteen of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patents issuing thereon.

Respectfully submitted,

Dated: September 29, 2003


DONALD E. BURG, Applicant Inventor

15840 S.W. 84th Avenue, Miami, FL 33157, Tel: 305-283-0289.